

ESTTA Tracking number: **ESTTA351024**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045173
Party	Plaintiff Glenn Danzig
Correspondence Address	PAUL D. SUPNIK 9401 WILSHIRE BLVD., SUITE 1250 Beverly Hills, CA 90212 UNITED STATES paul@supnik.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	PAUL D. SUPNIK
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Date	06/03/2010
Attachments	Supplemental Motion to Suspend 6.3.10.pdf (3 pages)(9795 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration Nos.
2,793,533, 2,634,215 and 2,735,848 Issued on
December 16, 2003, October 12, 2002 and April 22, 2003, respectively

Glenn Danzig.

Petitioner,

v.

Cyclopiian Music, Inc.

Registrant.

Cancellation No. 92045173

Mark: MISFITS

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

SUPPLEMENTAL MOTION

FOR SUSPENSION PENDING SETTLEMENT, WITH CONSENT

To the Commissioner for Trademarks:

This matter is to supplement the motion to suspend filed yesterday in this matter as an uncontested motion so as to include a progress report not available as yet on the ESTTA consented motion forms. Glenn Danzig ("Danzig") respectfully requests that the

proceedings in the above-captioned cancellation action be suspended pending settlement for 60 days. It is further requested that in the event this matter is not concluded by settlement, dates be reset. The parties have continued settlement negotiations with respect to this cancellation action since the Board's granting of the dates extending discovery and trial dates, dated April 2, 2010.

The parties are involved in multiple proceedings in the TTAB including two separate proceedings involving the MISFITS mark, oppositions 91184044 and 91182881, as well as this consolidated proceeding. The parties are also involved in cancellation 92050014 involving a design mark.

In the previous request for an extension of time, the parties sought additional time to either:

(1) consolidate this proceeding with oppositions 91184044 and 91182881 and cancellation 92050014 and continue this as a consolidated proceeding,

(2) settling this proceeding without consolidating and allowing the design mark cancellation to proceed or

(3) globally settling this matter.

Since the last motion, the parties have determined that a global settlement cannot be resolved at the present time, but the parties have in principle agreed to resolve this consolidated proceeding and 2 of the 3 other pending Trademark Trial and Appeal Board proceedings. The cancellation proceeding 92050014 involving the design mark will continue.

The parties have now generally are in agreement on the principle terms of a settlement which involves both the matters in issue in this consolidated proceeding, as well as in connection with Opposition Nos. 91184044 and 91182881. Respondent's counsel in this consolidated proceeding is in the process of preparing a draft settlement

agreement and the suspension is requested to give the parties an opportunity to review and work out differences of the parties, if any, in connection with the settlement.

Glenn Danzig has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Respectfully,

/s/

Dated: June 3, 2010

By: _____
PAUL D. SUPNIK
Attorney for Petitioner
GLENN DANZIG
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Beverly Hills, CA 90212
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 3, 2010, he caused a copy of the above MOTION FOR SUSPENSION to be served by First Class Mail, postage prepaid on this date to:

Curtis B. Krasik, Esq.
Christopher M. Verdini, Esq.
K&L GATES LLP
K&L Gates Center
210 Sixth Avenue
Pittsburgh, PA 15222-2613

/s/

Dated: June 3, 2010

By: _____
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